

GEKP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

Norman Michael Vega,
Plaintiff,

-v-

Michael Mullen, Berks County Jail
Systems Mail Room Supervisor;
Jennifer Sharp, Lieutenant/Booking
Supervisor; Jeffrey Smith, Chief
Deputy Warden; Janine Quigley,
Warden

Defendants

COMPLAINT
Civil Action No. _____

16 4620

I. JURISDICTION & VENUE

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of state law, of rights secured by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1333 (a)(3). Plaintiff seeks injuction relief pursuant to and authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of the Federal Rules of Civil Procedure.
2. The Eastern District of Pennsylvania is an appropriate venue under 28 U.S.C. Section 1331 (b)(2) because it is where the events giving rise to this claim occurred.

II. PLAINTIFFS

3. Plaintiff Norman M. Vega is and was at all times mentioned herein a prisoner of the State of Pennsylvania while also in the custody of Berks County Jail Systems. He is also currently confined in Berks County Jail, in Leesport, Pennsylvania.

III. DEFENDANTS

4. Defendant Janine Quigley is the Warden of Berks County Jail Systems. She is legally responsible for the operation of Berks County Jail and for the welfare and fairness of all the inmates in the jail.
5. Defendant Jeffrey Smith is the Chief Deputy Warden of Berks County Jail Systems who, at all times mentioned in this complaint, held rank of Chief Deputy Warden at Berks County Jail.
6. Defendant Jennifer Sharp is the Lieutenant Booking Supervisor of Berks County Jail Systems. She is responsible for all mail room operations.

7. Defendant Michael Mullen is the Mail Room Supervisor of Berks County Jail Systems.

8. Each Defendant is sued individually and in his/her official capacity. At all times mentioned in this complaint each Defendant acted under the color of state law.

IV. FACTS

9. At all times relevant to this case, Plaintiff Norman M. Vega was housed in J-Unit of Berks County Jail.

10. April 24, 2016: On this date , Plaintiff's family, who already had a belated Birthday Card ready to be mailed to Plaintiff, with a drawing his five year old daughter drew on for him with coloring pencil, were told by Plaintiff not to mail the birthday card until he was able to find out if the coloring pencil drawing was prohibited, as is color crayon markings.

11. On April 26, 2016, Plaintiff submits a 'Berks County Jail System Inmate Communication Form' to mail room staff inquiring as to whether or not color pencil markings are prohibited on incoming mail as is color crayon markings since this information is not cited in the 'Berks County Jail System Inmate Handbook'.

12. Two weeks later, on May 10, 2016, Plaintiff receives a response on this same 'Communication Form', where Mail Room Supervisor Michael Mullen states, 'Due to the fact that there is little difference in appearance of colored crayon and colored pencil (markings) we are not accepting color Pencil (markings)'. This 'Communication Form' is attached as Exhibit A.

13. On May 11, 2016, Plaintiff informs his family that they not forward the belated birthday card, since color pencil markings on incoming mail is also prohibited.

14. On or about May 13, 2016, Plaintiff is told by his family that they have purchased another birthday card they would have his daughter draw on for Plaintiff with pen and pencil only.

15. On May 18, 2016, Plaintiff's birthday card is mailed out to him with a drawing his daughter made in pen and pencil only.

16. On May 26, 2016, Plaintiff submits a 'Berks County Jail System Inmate Communication Form' to the mail room inquiring on whether or not Mail Room staff received said birthday card. This 'Communication Form' is attached as Exhibit B.

17. On May 27, 2016, Plaintiff receives 20 photos in an envelope with a 'Berks County Prison - Mail Room, Notification of Returned /Destroyed Mail' slip dated, May 25, 2016, indicating that a 'letter' was destroyed. The reason stated, 'No Crayon'. This 'Notification' slip is attached as Exhibit C.

18. On this same date, Plaintiff submits another 'Communication Form' to the Mail Room inquiring as to why birthday card was destroyed instead of being returned to sender and/or Plaintiff being given the opportunity to challenge the censorship.

19. On June 1, 2016, Plaintiff receives a response to his May 26, 2016 'Communication Form' (Exhibit B) attached together with Plaintiff's May 27, 2016 'Communication Form' by Mail Room Supervisor Michael Mullen dated May 31, 2016, stating, 'Confiscated items are destroyed. You will not be called in advance for disposition of the item'. The May 27, 2016 'Communication Form' is attached as Exhibit D.

20. Upon information and belief, it is general prison knowledge that mail room staff arbitrarily and capriciously select which incoming mail considered by broad standards to be 'contraband mail' inmates are allowed to receive, is destroyed, returned back to 'Sender' or placed in inmates property.

V. EXHAUSTION OF LEGAL REMEDIES

21. Plaintiff used the prisoner grievance procedure available at Berks County Jail to try and solve the problem by questioning and indicating the need for a policy change or at the most, for certain requests to be carried out before mail is destroyed. On June 2, 2016, Plaintiff presents the facts relating to this complaint. On June 9, 2016, Plaintiff was sent a response by Booking Supervisor Lieutenant Jennifer Sharp ultimately denying the grievance. On June 13, 2016, Plaintiff appealed the denial of the grievance to the Warden. On June 20, 2016, Plaintiff receives a response by Chief Deputy Warden Jeffrey Smith, 'in the absense of The Warden', denying his grievance appeal. Plaintiff's grievance and appeal are attached as Exhibit E.

VI. LEGAL CLAIMS

22. Plaintiff realleges and incorporates by reference paragraph 1-22.

23. Defendant Michael Mullen, in an individual and official capacity, was negligent and deliberately indifferent when he reviewed and authorized the destruction of Plaintiff's incoming personal and irreplaceable birthday card Plaintiff's five year old daughter drew on for him. Defendant Mullen's action violated Plaintiff's rights under the First, Fifth and Fourteenth Amendment to the United States Constitution's substantial and procedural due process rights under color of official capacity, depriving Plaintiff of property without due process by not allowing Plaintiff to challenge the censorship of incoming mail - causing Plaintiff emotional distress.

24. By failing to remedy or redress the wrongs described herein, and encouraging the continuation of such mail room policies by denying relief to Plaintiff, Defendant's Lieutenant Jennifer Sharp, Chief Deputy Warden Jeffrey Smith and Warden Janine Quigley are also violating Plaintiff's rights under the First, Fifth and Fourteenth Amendment to the United States Constitution and causing Plaintiff emotional distress; and injury to his First, Fifth and Fourteenth Amendment rights.

25. The Plaintiff has no plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiff has been and may, as with other Berks County Jail inmates, be irreparably injured by the conduct of the defendants, due to mail room policies, unless this court grants the injunctive relief which plaintiff seeks.

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that this court enter judgement:

26. Granting Plaintiff a declaration that the acts and omissions described herein violate his rights under the Constitution and laws of the United States, and,

27. A preliminary and permanent injunction ordering defendant's Mullen, Sharp, Smith and Quigley to cease the practice of destroying any and all incoming U.S. mail property belonging to inmates, and,

28. Granting Plaintiff compensatory damages in the amount of \$10,000.00 against each defendant, jointly and severally.

29. Plaintiff seeks punitive damages in the amount of \$10,000.00 against each defendant, jointly and severally.

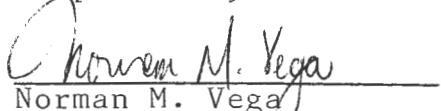
30. Plaintiff also seeks a jury trial on all issues triable by jury.

31. Plaintiff also seeks recovery of his costs in this suit, and,

32. Any additional relief this court deems just, proper, and equitable.

Dated: August 17, 2016

Respectfully Submitted,



Norman M. Vega
#2001-2212
Berks County Jail
1287 County Welfare Rd.
Leesport, PA 19533-9397

VERIFICATION

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and, as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Leesport, Pennsylvania on August 17, 2016.


Norman Michael Vega

EXHIBIT 'A'

Inmate Name: Norman M. Vega

BCJ #: 2001-2212
Unit/Cell #: J-213

Date: 4/26/2014

2016 FIFR 27 AM 9:05

TO: (Select only one of the following; selecting more than ONE box will result in your communication being filed unanswered.)

Booking/Mail/Property Custody Inmate Accounts Medical Warden
 Chapel Deputy Warden Inmate Telephones SOG Commander Other _____
 Commissary Education Kitchen Treatment

Write legibly, supply all relevant details. Forms which are unclear or contain demeaning language, threats or profanity will not be addressed. **ONLY ONE TOPIC PER COMMUNICATION.**

Today I received a response to my 4/24/2014 request form inquiring about whether or not color pencil markings ~~are considered~~ ~~inside incoming mail~~ is restricted. M. Mullen's response was:
'Colored Pencil will be confiscated! (?)'

Again, I noticed in page 16 of the B.C.J.S. Inmate Handbook - that the following is restricted for incoming mail: 'Any mail / correspondence that "contains" colored crayon markings, paint or lipstick.' + Does that include color pencil markings? or are color pencil markings acceptable?

Note: Writing in "response" section will result in form being unanswered and filed.

Inmate Signature: Norman M. Vega

RESPONSE:

This again falls under the section in which the Lt. or designee deems unacceptable. Due to the fact that there is little difference in appearance of colored crayon and colored pencil we do not accept colored pencil.

Date _____ Staff Member (Print) M. mullen

and (Sign) Thru

CC: _____

EXHIBIT 'B'

BERKS COUNTY JAIL SYSTEM
INMATE COMMUNICATION FORM

Inmate Name: Norman M. Viga

BCJ #: 20012212
Unit/Cell #: 5-213

Date: 5/26/2014

TO: (Select only one of the following; selecting more than ONE box will result in your communication being filed unanswered.)

Booking/Mail/Property Custody Inmate Accounts Medical Warden
 Chapel Deputy Warden Inmate Telephones SOG Commander Other
 Commissary Education Kitchen Treatment

Write legibly, supply all relevant details. Forms which are unclear or contain demeaning language, threats or profanity will not be addressed. **ONLY ONE TOPIC PER COMMUNICATION.**

Mail Room Supervisor

On 5/18/2016, my mother mailed me approximately 24 photos along with a birthday card but I have yet to receive these items.

Could you inform me as to whether or not you received these items and how them returned?

Thank you

Note: Writing in "response" section will result in form being unanswered and filed.

Inmate Signature: Norman M. Viga

RESPONSE:

Addressed on separate form

Date 5/31/14 Staff Member (Print) m. mullen

and (Sign) Thurs

CC:

EXHIBIT 'C'

Berks County Prison
MAILROOM

Inmate Vega, Norman NOTIFICATION OF RETURNED/ DESTROYED MAIL
 Cell 5213 BCP# 11-2212 Date 5/25/16

The following was received at the mail room for processing and is being returned / destroyed for the following reasons:

FROM / RETURNED TO:

NAME Rose Golicic
 ADDRESS 112 Sycamore St
 CITY Reading STATE PA ZIP 19601

 LETTER PACKAGE**REASON FOR RETURNED MAIL**

- CASH-MONEY ORDERS ONLY
- ITEMS MUST COME FROM BOOKSTORE
- TOO BIG-CAN'T BE BIGGER THAN 8X11
- PHONE CARDS /CREDIT CARDS ETC.
- CLOTHING ITEMS
- OTHER _____

REASON FOR DESTROYED MAIL

- PICTURES _____
- POLAROIDS _____
- CRIMINAL NATURE _____
- SEXUALLY EXPLICIT _____
- STAMPS, PAPER, ENVELOPES _____
- THIRD PARTY MAIL _____
- STICKERS _____
- HARD PLASTIC _____
- GLUED OR TAPE ITEMS _____
- METAL ITEMS _____
- OTHER NO CIGARETTES _____

209-Rec-17

Mailroom Staff JK

EXHIBIT 'D'

BERKS COUNTY JAIL SYSTEM
INMATE COMMUNICATION FORMInmate Name: Norman M. VegaBCJ #: 2081-2212
Unit/Cell #: J-213Date: 5/27/2016TO: (Select only one of the following; selecting more than ONE box will result in your communication being filed unanswered.)

<input checked="" type="checkbox"/> Booking/Mail/Property	<input type="checkbox"/> Custody	<input type="checkbox"/> Inmate Accounts	<input type="checkbox"/> Medical	<input type="checkbox"/> Warden
<input type="checkbox"/> Chapel	<input type="checkbox"/> Deputy Warden	<input type="checkbox"/> Inmate Telephones	<input type="checkbox"/> SOG Commander	<input type="checkbox"/> Other _____
<input type="checkbox"/> Commissary	<input type="checkbox"/> Education	<input type="checkbox"/> Kitchen	<input type="checkbox"/> Treatment	

Write legibly, supply all relevant details. Forms which are unclear or contain demeaning language, threats or profanity will not be addressed. **ONLY ONE TOPIC PER COMMUNICATION.**

Mail Room Supervisor / Staff:

Today I received some photos in an envelope with a 'Notification of Returned/Destroyed Mail' slip dated 5/25/2016 indicating that a 'letter' was destroyed - the reason stated, 'No crayon.' I believe this 'letter' your staff is referring to was in regards to a 'price-less' Birthday Card my 5 year old daughter drew on for me (with a pen/pencil) only.

Even if this personal item was drawn on with a crayon - why was I not given the option of having it mailed back to my family instead of your staff arbitrarily making the decision of destroying 'price-less & personal' items for reasons that can't be proven otherwise. Please respond at your earliest convenience, thank you.

Note: Writing in "response" section will result in form being unanswered and filed.

Inmate Signature: Norman M. Vega

RESPONSE:

I have explained this several times. Confiscated items are destroyed. You will not be called in advance for disposition of the item.

Date 5/31/14 Staff Member (Print) M. Mullerand (Sign) Thurj

CC:

BCJS 501U-5/2015

Original – Treatment File

Canary – Return to inmate with response

cc: File/inmate

EXHIBIT 'E'

Inmate Name Norman M. VegaBCP# 2001-2212Cell J-213Date 6/2/2016

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

Administration Use Only

Does not fit criteria for an emergency/sensitive grievance Form is incomplete Resubmit on proper form

Lacks details Must be completed in English

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)

Yesterday, I received a response back to my 5/26 & 5/27/2016 communication forms in regards to a Birthday Card mail room staff 'destroyed'. Mail Room Supervisor M. Mullen stated, 'I have explained this several times. Confiscated items are destroyed. You will not be called in advance for disposition of the item'. - I believe Mr. Mullen is confusing me with someone else, for I have never had an issue before in regards to confiscated mail being destroyed. In fact, in the past I've inquired about what's acceptable/followed and what's prohibited so that way my family/friends would avoid any inconveniences by sending mail that's prohibited. *Without being able to prove this, since the Birthday Card was destroyed, mail room staff have indicated my family has done just that recently.

As I mentioned in the 5/27/2016 communication form, - On 5/27/2016 I received some photos in an envelope with a 'Notification of Returned/Damaged Mail' slip dated →

FOR ADMINISTRATIVE USE ONLY**Grievance Response:**

Mr. Vega, the inmate handbook lists any mail/item that may be restricted/limited due to security & safety issues. We will not call inmates down to the mailroom to look at confiscated items when they have already been advised of what is acceptable. Every inmate receives this handbook for review of our rules & regulations. You are also advised of such rules & regulations during Treatment orientation. Individuals should be advising family & friends what is allowable. I understand that sometimes are "precious" and that is why our practice changed and we do not destroy excess photos that come in the mail. Every item that is confiscated is reviewed and authorized by a supervisor.

Grievance Answered By: Lt SharpDate 6/9/16Grievance # 0803-16Date Posted 6/9/16

1 of 3

Original: Treatment File

Canary: Return to inmate with response

FORM# REC120 (REV 2/10)

RECORDED

BERKS COUNTY JAIL SYSTEM
INMATE GRIEVANCE FORMInmate Name Norman M. VegaBCP# 2001-2212 Cell J-213Date 6/2/2016

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

Administration Use Only

Does not fit criteria for an emergency/sensitive grievance Form is incomplete Resubmit on proper form

Lacks details Must be completed in English

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)

- 5/25/2016 indicating that a 'letter' was destroyed - the reason stated, "No Crayon." I believe this 'letter' your staff is referring to was in regards to a 'point-less' Birthday Card my 5 year old daughter drew on for me (with a pen/pencil) only. I know this to be true because after finding out in March that the 1st Birthday Card that was originally going to be mailed to me (for my birthday - April 2nd) had colored pencil markings on it - I advised my family not to mail it to me since colored pencil markings are prohibited. As well instead, I asked for them to purchase another Birthday Card my daughter could draw on for me with a pencil & /or pen - so that I may receive it - no problems. After inquiring with my family - they stressed the fact that there was no crayon or colored pencil markings on the Birthday Card they forwarded to me.

Mail Room staff make the arbitrary decision of deciding what mail items →

FOR ADMINISTRATIVE USE ONLY

Grievance Response:

Grievance Answered By: LL CT Slay Date 6/9/16Grievance # 0803-16Date Posted 6/9/162 of 3

Original: Treatment File

Canary: Return to inmate with response

FORM# REC120 (REV 2/10)

FBI ADP

BERKS COUNTY JAIL SYSTEM
INMATE GRIEVANCE FORMInmate Name Norman M. VegaBCP# 2001-2212Cell 1-213Date 6/2/2016

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

Administration Use Only

Does not fit criteria for an emergency/sensitive grievance Form is incomplete Resubmit on proper form

Lacks details Must be completed in English

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)

Confiscated they return & which ones they destroy - no matter how personal & intimate they may be to the inmate (or sender). This Birthday Card I carefully instructed my family to have mailed to me was not only personal & intimate to me, - but also precious! Instead of giving me an option - the Birthday card my 5 year old daughter drew on for me was discarded/destroyed as if worthless - for non logical reason that don't warrant such actions. For reasons I won't dispute because again the card was destroyed.

The relief I'm requesting, which I hope you'll find is fair/reasonable, is that inmate x called down to the property window so that we may be given an option as to whether or not we would like to pay for the confiscated item to be returned - or to have destroyed.

FOR ADMINISTRATIVE USE ONLY**Grievance Response:**Grievance Answered By JCT Date 6/9/16Grievance # 0803-16Date Posted 6/9/16

Original: Treatment File

Canary: Return to inmate with response

3 of 3

FORM# REC120 (REV 2/10)

SHARP

BERKS COUNTY JAIL SYSTEM
INMATE GRIEVANCE FORMInmate Name Norman M. VegaBCP# 2001-2212Cell J-213Date 6/13/2016

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

Administration Use Only

Does not fit criteria for an emergency/sensitive grievance Form is incomplete Resubmit on proper form

Lacks details Must be completed in English

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)

In regards to Grievance # 0803-16 (please see attached), Lt. Sharp cites B.C.J.S. Inmate Handbook Rules Regarding incoming mail/ correspondence which may be restricted &/or limited; and states in regards to my suggestion - "we will not call inmates down to the mail room to look but non-traditional items when they have already been advised of what is acceptable." Also, I understand that some items are "price-less" and that is why our practice changed and we do not destroy express photos that come in the mail. Every item that is confiscated is reviewed and authorized by a superv. so. For background information: I received some photos in an envelope with a 'Notification' of Returned / Destroyed Mail' slip dated 5/25/16 (please see attached) indicating that a 'letter' was destroyed - the reason stated, "No crayon!" I believe this 'letter' your staff is referring to was in regards to a 'price-less' Birthday Card -

FOR ADMINISTRATIVE USE ONLY**Grievance Response:**

Without seeing the card, I cannot determine the medium used. I can tell you that I will ask the staff to pay closer detail when checking the mail. We will not call inmates down to challenge the censorship. TIME does not allow us to do that with our current population. I will also not be allowing the staff to place the item in your personal property as it has the potential to be a dangerous contraband. All of those items will remain being disposed of.

Grievance Answered By: CJW SHUTT *[Signature]* IN THE ABSENCE OF
The Warden Date 6/20/16

Grievance # APP 0803-16Date Posted 6/20/16

1 of 4

Original: Treatment File

Canary: Return to inmate with response

FORM# REC120 (REV 2/10)

Guerrance AD0091 # 0803-16

Inmate Name: Norman M. Vega

BCP# 2001-2212

Cell J-213

Date 6/13/2016

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

Administration Use Only

Does not fit criteria for an emergency/sensitive grievance Form is incomplete Resubmit on proper form

Lacks details Must be completed in English

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)

My 5 year old daughter drew on for me (with a pen/pencil only). I know this to be true because after finding out in March that the 1st B-Day Card that was originally going to be mailed to me (for my Birthday - April 2nd) had colored pencil markings on it - I advised my family not to mail it to me since colored pencil, like crayons are prohibited as well (please see attached request dated [redacted]). Instead, I asked for them to purchase another Birthday Card my daughter could draw on for me with a pen/pencil &/or pen - so that I may receive it - no problems. After inquiring with my family - they stressed the fact that there was no crayon or colored pencil markings (etc.) on the Birthday Card they forwarded me.

Mail Room staff make the arbitrary decision of destroying what mail items confiscated they return & which ones they destroy - no matter how personal it

FOR ADMINISTRATIVE USE ONLY

Grievance Response:

A graph of a concave function $f(x)$ on a Cartesian coordinate system. The horizontal axis (x-axis) has several evenly spaced tick marks, and the vertical axis (y-axis) also has several evenly spaced tick marks. The curve starts at a point on the y-axis, rises to a local maximum, and then descends to a point on the x-axis. The curve is concave down, meaning it bows downwards relative to its tangent lines.

Grievance Answered By:

Date _____

Grievance # APP 0803-16

Date Posted

4/20/16

Original: Treatment File

Canary: Return to inmate with response

FORM# REC120 (REV 2/10)

U.S. ex parte Appeal # 4803-16

Inmate Name Norman M. Vega

BCP# 2001-2212

Cell J-213

Date 4/13/2014

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

Administration Use Only

Does not fit criteria for an emergency/sensitive grievance Form is incomplete Resubmit on proper form

Lacks details Must be completed in English

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)

intimate they may be to the inmate (or sender). This Birthday Card I carefully instructed my family to have mailed to me was not only personal & intimate to me but also "priceless". Instead of giving me an option - or at the very least place the Birthday Card in my property as mail room staff, b. with expressive photos they receive! - the Birthday Card my 5 year old daughter drew on for me was discarded/destroyed as if worthless - for reasons that even if logical - don't warrant such actions.. for reasons I can't quite because again - the card has been destroyed. Where's the due process in this procedure? - Shouldn't the author or the receiver of the letter have a chance to challenge the censorship? How am I able to challenge/argue that I know for a fact this B-day Card would of not have, had any crayon or color pencil markings - when the Card was destroyed for what is now essentially an unsupported

FOR ADMINISTRATIVE USE ONLY

Grievance Response:

Grievance Answered By:

Date _____

Grievance # APP 0803-16

Date Posted 6/20/16

3 - 4

Original: Treatment File

Canary: Return to inmate with response

FORM# REC120 (REV 2/10)

Cleveland Appeal # 0803-10

Inmate Name Norman M. Vega

BCP# 2001-2212

Cell J-213

Date 6/13/2016

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

Administration Use Only

Does not fit criteria for an emergency/sensitive grievance Form is incomplete Resubmit on proper form

Lacks details Must be completed in English

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)

~~classmate~~?

If the jail's policy is to place the excessive photos an inmate receives over the 20 photos allowed in their property, why doesn't this policy also apply to such items as the Birthday Card mentioned above? And of course, I am not talking about all incoming mail the jail considers contraband. But there is a difference between a personal & intimate card or letter that might be invaluable/replacable to an inmate (or sender) and a pornographic magazine or some other obvious contraband.

If this relief I am requesting for, which I hope you'll find is fair/reasonable, is not feasible - could you please find some other solution to change or better the policy currently practiced - so that the items I mentioned are not destroyed?

FOR ADMINISTRATIVE USE ONLY

Grievance Response:

Grievance Answered By:

Date _____

Grievance # APP 080-16

Date Posted

6/20/16

Original: Treatment File

Canary: Return to inmate with response

FORM# REC120 (REV 2/10)